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BEFORE THE ARIZONA CORPORATION
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Arizona Corporation Commission

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FEB 25 2005

COMMISSIONERS

JEFF HATCH-MILLER – Chairman

WILLIAM A. MUNDELL

MARC SPITZER

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KRISTIN K. MAYES

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AZ CORP COMMISSION
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IN THE MATTER OF DIVERSIFIED WATER
UTILITIES, INC. TO EXPAND ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO INCLUDE ALL OF SECTIONS
13, 14, 15, 23 AND THAT PORTION OF
SECTION 16 EAST OF RAILROAD TRACKS
ALL IN T3S, R83, PINAL COUNTY, ARIZONA.

DOCKET NO. W-02859A-04-0844

IN THE MATTER OF THE APPLICATION OF
JOHNSON UTILITIES COMPANY FOR AN
EXTENSION OF ITS EXISTING CERTIFICATE
OF CONVENIENCE AND NECESSITY FOR
WATER SERVICE.

DOCKET NO. WS-02987A-04-0869

MOTION TO CONSOLIDATE

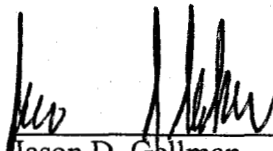
Arizona Corporation Commission Staff (“Staff”) requests consolidation of Docket Nos.
W-02859A-04-0844 and WS-02987A-04-0869 for the following reasons:

Both Johnson Utilities Company, L.L.C. (“Johnson”) and Diversified Water Utilities, Inc.
 (“Diversified”) are requesting extensions of their respective certificates of convenience and necessity
 (“CC&Ns”) to the same territory, namely Sections 13 and 23 of Township 3 South, Range 8 East in
 Pinal County, Arizona (Diversified has also applied for an extension of its CC&N to other sections in
 the same township that are not being sought by Johnson). Diversified has been granted intervention
 in Docket No. W-02987A-04-0869, but its own application for a CC&N has not currently been
 declared sufficient by Staff. Even so, while Diversified would have a full and fair opportunity to
 dispute the approval of Johnson’s application for its CC&N extension, regardless of whether the
 cases are consolidated, Staff believes consolidating the two dockets would be administratively
 efficient. This is because Diversified will likely be arguing the same issue – that it is the more fit and
 proper entity rather than Johnson to serve the area in dispute. Since both cases involve this basic issue
 – which entity, if any, should be granted the extension as being in the public interest – Staff believes
 the cases can and should be consolidated under A.A.C. R14-3-109(H).

1 Furthermore, Staff believes that a procedural conference for both cases should be convened to
2 determine, among other things, whether there should be any changes to the procedural schedule.
3 Currently, the date for filing the Staff report in Docket No. WS-02987A-04-0869 is March 11, 2005,
4 with the hearing scheduled for April 18, 2005. No procedural schedule has been set in Docket No.
5 W-02859A-04-0844 as of February 25, 2005.

6 RESPECTFULLY SUBMITTED on the 25th day of February, 2005

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8 ARIZONA CORPORATION COMMISSION

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14 Original and fifteen (15) copies of
15 the foregoing was filed this 25th
16 day of February, 2005, with:

16 Docket Control
17 Arizona Corporation Commission
18 1200 West Washington
19 Phoenix, AZ 85007

19 Copies of the foregoing were
20 mailed / hand-delivered this 25th
21 day of February, 2005, to:

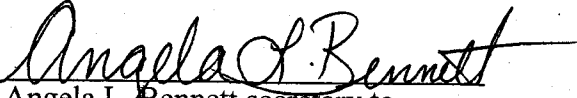
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